State of North Carolina

BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NO. 130

EMERGENCY RELIEF FOR TROPICAL STORM/HURRICANE SANDY

WHEREAS, due to the anticipated impact and disaster associated with Tropical Storm/Hurricane Sandy, vehicles bearing equipment and supplies to relieve the damage to North Carolina and other states impacted by the storm need to be moved on the highways of North Carolina; and

WHEREAS, in Executive Order No. 129, I declared a state of emergency as defined in N.C.G.S. §§ 166A-19.3(6) and 166A-19.3(18) for portions of the State of North Carolina to respond to the anticipated impact of Hurricane Sandy. The emergency area as defined in N.C.G.S. §§ 166A-19.3(7) and N.C.G.S. 166A-19.20(b) includes the counties listed in Executive Order No. 129.

WHEREAS, under the provisions of N.C.G.S. § 166A-19.30(b)(3) the Governor, with the concurrence of the Council of State, may regulate and control the flow of vehicular traffic and the operation of transportation services; and

WHEREAS, with the concurrence of the Council of State, I have found that vehicles bearing equipment and supplies to relieve North Carolina and other states' grief-stricken areas must adhere to the registration requirements of N.C.G.S. § 20-86.1 and 20-382, fuel tax requirements of N.C.G.S. § 105-449.47, and the size and weight requirements of N.C.G.S. §§ 20-116 and 20-118. I have further found that citizens in this and other states have suffered losses and will likely suffer imminent further widespread damage within the meaning of N.C.G.S § 166A-19.3(3) and N.C.G.S. § 166A-19.21(b); and

WHEREAS, the prompt restoration of utility services to citizens is essential to their safety and well-being; and

WHEREAS, 49 CFR § 390.23 allows the Governor of a state to suspend the rules and regulations under 49 CFR Part 395 for up to 30 days if the Governor determines that an emergency condition exists; and

WHEREAS, under N.C.G.S. § 166A-19.70, the Governor may declare that the health, safety, or economic well-being of persons or property requires that the maximum hours of